

REPORT - PLANNING COMMISSION MEETING
April 28, 2005

Project Name and Number: Pasta ? Restaurant (PLN2005-00120)

Applicant: Gianni Chiloiro

Proposal: To consider modifications to the material used for the awnings of a previously approved Finding for Site Plan and Architectural Approval for a remodel of an existing 5,400 sq. ft. restaurant building located in the Central Business District.

Recommended Action: Approve, based on findings and subject to conditions.

Location: 3720 Mowry Avenue (Fremont Plaza Shopping Center)

APN: 501-1130-020-01

Area: 10.05 acres

Owner: Faidi Living Trust

Consultant(s): Alessandro Miramare, I Studios

Environmental Review: This project is exempt from the California Environmental Quality Act (CEQA) per section 15301, Existing Facilities.

Existing General Plan: CBD, Central Business District

Existing Zoning: C-B-D, Central Business District

Existing Land Use: Vacant commercial restaurant building

Public Hearing Notice: Public hearing notification is applicable. A total of 371 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Capitol Avenue, Fremont Boulevard, Fremont Hub, Mount Vernon Avenue, Mowry Avenue, Pennsylvania Avenue and State Street. The notices to owners and occupants were mailed on April 11, 2005. A Public Hearing Notice was delivered to The Argus on April 11, 2005 to be published by April 14, 2005.

Executive Summary: The applicant is requesting approval of modifications to the awning material for a previously approved Finding for Site Plan and Architectural Approval for a remodel of an existing 5,400 sq. ft. restaurant building located in the Central Business District. The approved project included minor façade alterations to an existing 5,400 square foot restaurant building and an addition of an outdoor dining area along the frontage of Mowry Avenue.

Background and Previous Actions: On December 2, 2004, the Planning Commission approved PLN2005-00120, Finding for Site Plan and Architectural Approval for the remodel of an existing 5,400 square foot restaurant building on the corner of Mowry Avenue and State Street in the Central Planning Area. The approved project included the removal of: the existing forest green sheet metal wall panel between the crown and cornice; forest green and white striped awnings; and forest green and white checkerboard ceramic tiles at the base of the building. These elements in the approved project were modified to include: a new stucco finish between the crown and cornice; earth-tone multi-colored flagstone tiles at the base of the building; the addition of a new vertical stucco extension over the front entry; and a new outdoor dining area along the frontage of Mowry Avenue. The original proposal also included mahogany wood slat awnings with black steel frames. The Planning Commission, as part of the approval, added condition A-26:

"The applicant shall work with staff to improve the contrast in color between the wood awnings (perhaps a lighter tone) and the building color. Color samples shall be reviewed and approved on site with the project planner prior to final application of building paint colors."

The project is currently in the Development Organization review process. The building permit for the tenant improvements has been issued, and the demolition and construction of the interior of the building has already commenced at the site.

Project Description: The applicant is requesting approval of modifications to the awning material previously approved with the Finding for Site Plan and Architectural Approval for a remodel of an existing 5,400 sq. ft. restaurant building located in the Central Business District.

As stated above, the Planning Commission expressed concern regarding the proposed dark tone of the wood awning during the December 2, 2004 meeting. During the Development Organization review process, the applicant submitted plans with modifications to the material of the awnings from wood to fabric. In the letter submitted by the applicant, dated April 11, 2005, the applicant states that they have reviewed how the wood awning installation at another Pasta ? restaurant in Mountain View has weathered in a short period of time and concluded that a striped fabric awning was a better alternative, especially with consideration to the number of awnings for the Fremont restaurant. (Informational Exhibit 1)

Staff is referring the approval of the material change of the awning from wood to fabric to Planning Commission for review and consideration.

Project Analysis:

General Plan/Zoning Conformance: The project is in conformance with the relevant provisions contained in the City's existing General Plan and Zoning Ordinance as approved previously. The modification to the material of the awnings does not alter the project's conformity with the General Plan and Zoning Ordinance.

Design Analysis: The proposed fabric awning will replace the existing forest green and white striped awning, and the previously proposed dark mahogany wood slats. The applicant proposes to remove the existing fabric awnings and valences and re-use the existing awning frames. The new fabric awning is striped with a variety of colors such as beige, terracotta and blue, which complement the rich tones proposed for the exterior of the Italian restaurant.

Environmental Analysis: The project qualifies as a categorical exemption under Section 15301 of the California Environmental Quality Act Guidelines. This exemption includes projects involving existing facilities.

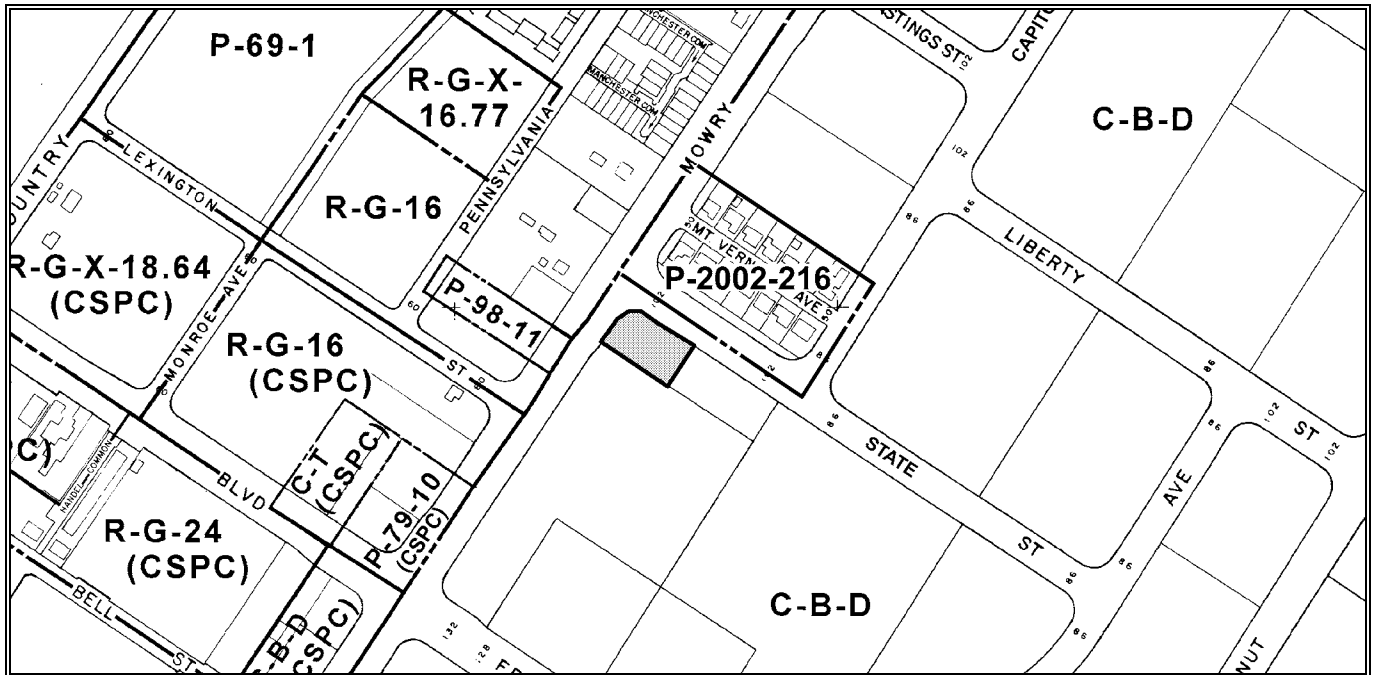
Enclosures:	Exhibit "A"	Awning sample board and color rendering
	Exhibit "B"	Findings and conditions of approval
	Informational 1:	Applicant letter dated April 11, 2005
	Informational 2:	Material sample board and color rendering as approved by Planning Commission on December 2, 2005
	Informational 3:	Planning Commission Meeting Minutes, December 2, 2005

Exhibits:	Exhibit "A"	Awning sample board and color rendering
	Exhibit "B"	Findings and conditions of approval

Recommended Actions:

1. Hold public hearing.
2. Find PLN2005-00120, as per Exhibit "A" (Awning sample board and color rendering) is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use Chapter as enumerated within the staff report. The project conforms to the goals and objectives of the Central Business District.
3. Find PLN2005-00120 is categorically exempt from further environmental review pursuant to CEQA Guidelines section 15301 related to alterations to existing facilities.
4. Approve PLN2005-00120, as shown on Exhibit "A" and subject to findings and conditions on Exhibit "B".

Existing Zoning
Shaded Area represents the Project Site



Existing General Plan

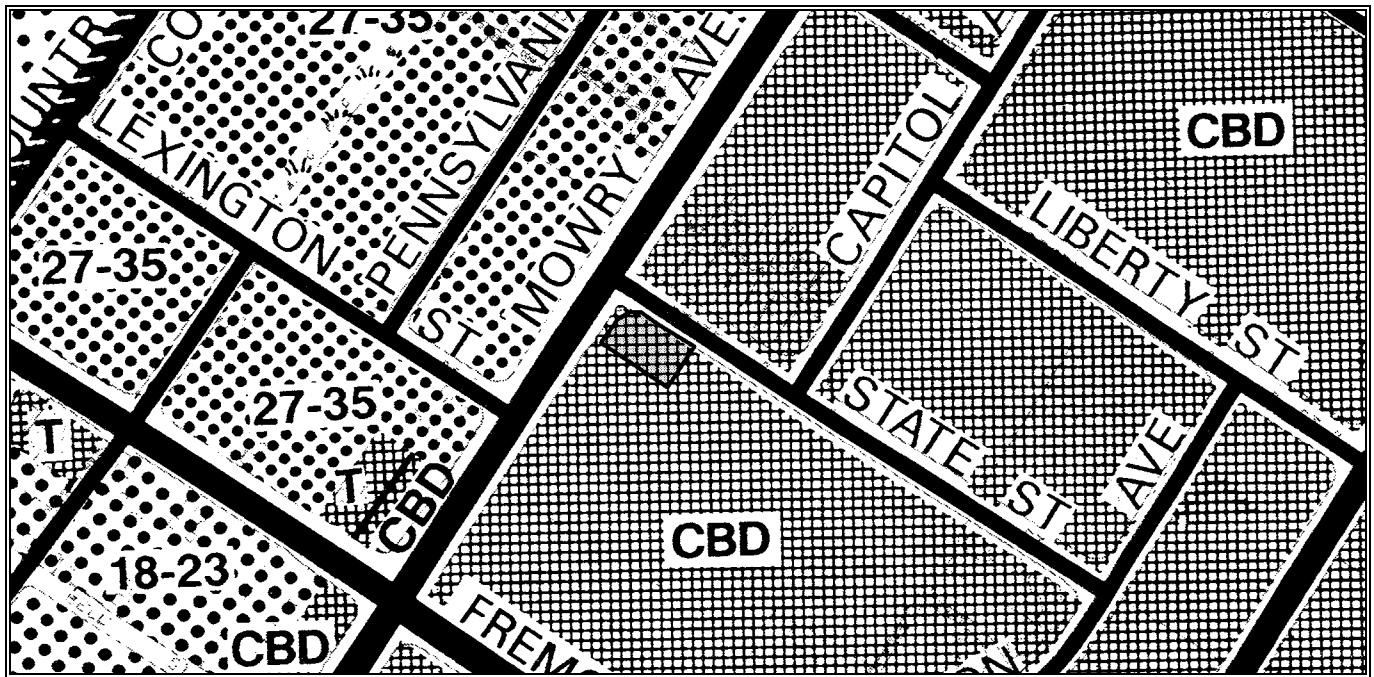


Exhibit "B"
Pasta ? – 3720 Mowry Avenue (PLN2005-00120)

CENTRAL BUSINESS DISTRICT (C-B-D) FINDINGS

The proposed project is in conformance with the requirements of Section 8-21206(c) of the Zoning Ordinance of the Fremont Municipal Code (FMC), which requires a Planning Commission review of the site plan and architecture for all proposed buildings in the CBD. The following findings are made based on the information in the staff report and the testimony at the public hearing:

1. The proposed development properly relates to essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation and access points because the proposed project site layout conforms to the requirements of the Fremont Municipal Code. The parking lot design, ingresses and egresses and loading dock areas were previously constructed to meet City standards, and are not proposed to be modified, and the number of parking spaces in the shopping center exceed required City standards.
2. The proposed development properly relates to public agency service requirements and opportunities, especially emergency public safety services in that police and fire department representatives have reviewed the plans for conformance with standards relating to public safety services.
3. The proposed development is visually, physically and functionally compatible with neighboring uses and neighborhood characteristics because the proposed use is compatible with the uses in the vicinity, it is a re-use of an existing restaurant building, and the proposed new architecture updates the building to better match the shopping center. The proposed development is also required to replace lost street trees and parking lot trees, which will allow the proposed development to further integrate into the neighborhood.
4. The proposed development includes open space or other site facilities and provides an attractive environment for the occupants of the property to be developed. The proposed site plan incorporates outdoor seating areas fronting pedestrian corridors and a small plaza with landscape and fountain features as part of the design. Staff believes the resulting environment will be attractive and useable by the occupants of the property, and it is properly designed to avoid garbage nuisances.

CONDITIONS

- A-1. The applicant shall comply with all conditions of approval for PLN2005-00120, as previously approved by Planning Commission on December 2, 2004. Condition A-26 shall be deleted: ~~"The applicant shall work with staff to improve the contrast in color between the wood awnings (perhaps a lighter tone) and the building color. Color samples shall be reviewed and approved on site with the project planner prior to final application of building paint colors."~~